

DEP \$ REF
Room 307



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#18 / Reg for
Refund

04-22-02

In re Patent Application of

VON EICHEL-STREIBER et al.

Group Art Unit: 1642

Application No.: 09/126,816

Examiner: J. Burke

Filed: July 31, 1998

For: METHOD OF INACTIVATION OF RAS SUBFAMILY
PROTEINS AND AGENTS THEREFOR

* * * * *

April 2, 2002

REQUEST FOR REFUND

Hon. Commissioner of Patents
Washington, D.C. 20231

Sir:

Applicant respectfully requests a refund of charges made against
Deposit Account 03-3975, control number 11468/254992 on September 4,
2001 (see copy of PTO statement attached), for the following reasons.

1. The \$80.00 fee for independent claims over 3 is incorrect as
Applicant cancelled claims 12-20 in the Preliminary Amendment filed on
August 20, 2001, and added new claims 21-29, leaving the number of
independent claims remaining at 3.
2. The \$500.00 fee for a third month extension of time is also incorrect
as the original due date for filing a response was June 20, 2001. As a
response was filed on August 20, 2001, with an extension fee in the amount
of \$390.00 for two months, no additional fee is due.

US PATENT & TRADEMARK
OFFICE

2002 APR -11 PM 4:20

OFFICE OF PATENT
REFUND DIVISION

A copy of the cancelled check is enclosed, as well as the transmittal form filed and the PTO date-stamped receipt for items filed.

Applicant respectfully requests that the \$580.00 overcharge be credited to Deposit Account 03-3975, control number 11468/254992.

Thank you for your attention to this request. If there are any questions, please contact the undersigned at the telephone number listed.

Respectfully submitted,

PILLSBURY WINTHROP LLP

By Blair Elizabeth Taylor
Blair Elizabeth Taylor, Ph.D.
Registration No. 44,370
Tel. No.: (703) 905-2198
Fax No.: (703) 905-2500

1600 Tysons Boulevard
McLean, Virginia 22102
(703) 905-2000



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

MONTHLY STATEMENT
OF DEPOSIT ACCOUNT

To replenish your Deposit Account, detach and
return top portion with your check. Make check
payable to Commissioner of Patents & Trademarks.

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231



Account No.	033975
Date	9-28-01
Page	1

PILLSBURY WINTHROP LLP

1600 TYSONS BOULEVARD

MCLEAN VA 22102

FINA

PLEASE SEND REMITTANCES TO:
Patent and Trademark Office
P.O. Box 70541
Chicago, Ill. 60673

DATE POSTED			CONTROL NO.	DESCRIPTION (Serial, Patent, TM, Order)	DOCKET NO.	FEE CODE	CHARGES/ CREDITS	BALANCE
MO.	DAY	YR.						
9	4	01	2	09126816	254992	102	80.00	21829.00
9	4	01	3	09126816	254992	117	500.00	21329.00
9	4	01	34	09942728	P 283111	104	126.00	21203.00
9	4	01	144	PCT/US01/41925	21244/129265	899	220.00	20983.00
9	4	01	146	PCT/US01/41925	21244/129265	566	30.00	20953.00
9	4	01	152	09423428	264870/	968	-260.00	21213.00
9	4	01	216	60308037	05185/027877	214	75.00	21138.00
9	4	01	217	60308037	05185/027877	227	25.00	21113.00
9	5	01	1	708354	84332	372	100.00	21013.00
9	5	01	1	09362902	PM 262733	126	180.00	20833.00
9	5	01	2	708354	84332	381	100.00	20733.00
9	5	01	3	708354	84332	365	400.00	20333.00
9	5	01	4	708354	84332	366	100.00	20233.00
9	5	01	8	09860492		704	-378.00	20611.00
9	5	01	20	09740003	PM 275802	201	-355.00	20966.00
9	5	01	21	09740003	PM 275802	202	-600.00	21566.00
9	5	01	22	09740003	PM 275802	203	-585.00	22151.00
9	5	01	23	09740003	PM 275802	203	-351.00	22502.00
9	5	01	24	09740003	PM 275802	204	-135.00	22637.00
9	5	01	25	09740003	PM 275802	101	710.00	21927.00
9	5	01	26	09740003	PM 275802	102	1200.00	20727.00
9	5	01	27	09740003	PM 275802	103	1872.00	18855.00
9	5	01	28	09740003	PM 275802	104	270.00	18585.00
9	5	01	77	462950		569	25.00	18560.00
9	5	01	100	09476226	0261857	561	30.00	18530.00
9	6	01	3	09805434	P 278442 SEG	126	180.00	18350.00
9	6	01	3	09813816	P 279288	103	72.00	18278.00
9	6	01	3	708388		365	400.00	17878.00
9	6	01	4	708388		372	100.00	17778.00
9	6	01	4	09853579	P278440 SD-3	126	180.00	17598.00
9	6	01	5	708388		366	100.00	17498.00
9	6	01	6	708388		381	100.00	17398.00
9	6	01	8	09823278		704	-54.00	17452.00
9	6	01	45	09944753	14187/027608	201	355.00	17097.00
9	6	01	46	09944753	14187/027608	202	240.00	16857.00
9	6	01	47	09944753	14187/027608	203	234.00	16623.00

AN AMOUNT SUFFICIENT TO
COVER ALL SERVICES REQUESTED
MUST ALWAYS BE ON DEPOSIT.

OPENING BALANCE

TOTAL CHARGES

TOTAL CREDITS

CLOSING BALANCE

*** O.D. INDICATES OVERDRAWN



PILLSBURY WINTHROP LLP

1600 TYSONS BOULEVARD
MCLEAN, VIRGINIA 22102
(703) 905-2000

No. 135798

15-120
640

PAY
TO THE ORDER OF

Director of the U. S. Patent and Trademark Office

August 20, 2001

One thousand three hundred seventy dollars and 00 cents

\$ *****1370.00

Serial No.: 09/126816

U.S. PATENT AND TRADEMARK FEES ACCOUNT

Bank of America
WASHINGTON, D. C.

Margaret S. Jackson

⑈135798⑈ ⑆054001204⑆ 1920814058⑈

⑈0000137000⑈

PATENT AND TRADEMARK OFFICE
13-10-0001
08-21-2001
FOR CREDIT TO THE
U.S. TREASURY



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FIRST VIRGINIA BANK
6002 AVENUE KEND
BILLS OF CASH
1-800-1-22-000
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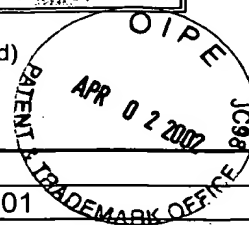
NOV 15 2001

BANK OF AMERICA, NA, ASSOC
056007387 E3043 10 P04
08/22/01
4010740374

US DATE 08/22/01
P01 E C 084

RECEIPT FROM PTO FOR INDICATED ITEMS

(Do NOT Use for New or Continuing Applications of Any Kind)
Use 2 postcards for all New Applns. (cont/Div/CIP, too)
Use this sheet when filing CPA



Appln. No: 09/126,816	Atty: Blair E. Taylor
First Inventor: VON EICHEL-STREIBER	Date: August 20, 2001
	Matter No: 254992
	Client No: 11468

ENCLOSED:

☒ Response/Amendment ☒ Appendix ☒ Cover Sheet ☒ Cited/Listed Documents

☐ Completion Request for R 53(f)/PCT Nat.

No. of Pages Abstract

No. of Pages Spec and Claims

No. of Numbered Claims Only

No. of Sheets of Drawings (Figs



☐ 1 Set Formal ☐ 1 Set Informal ☐ Cover Letter

☐ Declaration ☐ # of pages

☐ Assignment ☐ Cover Sheet

☐ Small Entity Declaration

☐ Extension Petition (PAT-111)

☐ No. of Priority Documents

☐ IDS Letter ☐ Cited Appln(s) ☐ Foreign Sch Rep/OA

☐ PTO-1449 ☐ Cited Documents

☐ Issue Fee Transmittal Form PTOL-85(b) + (c)

\$ 1,370.00 Fee (Check)

OTHER:

CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL and C. SORDELLII LT AMINO ACID SEQUENCE

Current DUE DATE: August 20, 2001

(Submit Single Copy Only)

**CONTINUED PROSECUTION APPLICATION (CPA)
REQUEST TRANSMITTAL**
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

In re prior PATENT APPLICATION of
inventor(s): VON EICHEL-STREIBER

Group Art Unit: 1642

Examiner: J. Burke

Appln. No. 09 | 126,816
Series Code | Serial No.

Filed: July 31, 1998

Atty. Dkt. PM 254992 | 96/23PH/SA
Parent M# | Client Ref

Hon. Commissioner for Patents
Box CPA
Washington, DC 20231

Date: August 20, 2001

**DO NOT USE THIS FORM (EXCEPT FOR DESIGNS)
IF PARENT WAS §111a filed on/after 5/29/00 or a
§371 if it's IA WAS FILED ON/AFTER 5/29/00; USE
PAT-252 (RCE) if poss. or PAT-108**

This is a request for a ☒ continuation ☐ divisional application under 37 CFR 1.53(d), (continued prosecution application (CPA)) of the above prior application number, entitled
METHOD OF INACTIVATION OF RAS SUBFAMILY PROTEINS AND AGENTS THEREFOR

ATTENTION ⇨
↓

NOTES

FILING QUALIFICATIONS: The prior application identified above cannot have been filed on/after 5/29/00 but must be (1) a nonprovisional application filed before 5/29/00 that is complete as defined by 37 CFR 1.51(b), or (2) the national stage (of an international application filed before 5/29/00) in compliance with 35 U.S.C. 371, and is neither abandoned nor its proceedings terminated and its issue fee has not been paid (unless item 6A below is X'd).

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

1. ☐ Enter the unentered amendment previously filed on _____ in the prior nonprovisional application. (Include claim fees on page 2).
2. ☒ A preliminary amendment is enclosed. (See page 3 for additional claims fees).
3. This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
 - a. ☐ DELETE the following inventor(s) named in the prior nonprovisional application:
 1. _____ 2. _____
 3. _____ 4. _____
 - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
- ☐ A new power of attorney is enclosed.
5. Information Disclosure Statement is enclosed including:

<input type="checkbox"/> IDS Letter	<input type="checkbox"/> Cited Appln(s).	<input type="checkbox"/> Foreign Search Report/OA
<input type="checkbox"/> PTO-1449		<input type="checkbox"/> Cited Documents

6. ☐ **PRELIMINARY AMENDMENT** to be entered before fee calculation (Do not make amendments here except cancellation of whole claims or multiple dependencies for purpose of reducing the filing fee (on page 2) per MPEP § 506 and 607; do not cancel all claims.):

- 6A. ☐ The issue fee has been paid in the parent, but this CPA Request is based on a Rule 313(c)(3) petition and Rule 53(d)(1)(ii)(A).

- 6B. ☐ See **NONPUBLICATION REQUEST** under Rule 213(a) attached (PAT-258)

7. ☐ Please suspend action under Rule 103(b) for a period of _____ Months (limited to 3 months maximum)

FILING FEE

THE FOLLOWING FILING FEE IS BASED ON THE CLAIMS
EXISTING IN THE PRIOR APPLICATION AS AMENDED AT 1 & 6 ABOVE

8. Small Entity Status ☒ is Not claimed ☐ is claimed (pre-filing confirmation required)

		Large/Small Entity		Fee Code
9. Basic filing fee -----	<input checked="" type="checkbox"/>	Utility Appln. -- \$710/\$355	\$ 710	(131/231)
	<input type="checkbox"/>	Design Appln. -- \$320/\$160	\$ 0	(132/232)
	<input type="checkbox"/>	Plant Appln. -- \$490/\$245	\$ 0	(133/233)
	<input type="checkbox"/>	Reissue Appln. -- \$710/\$355	\$ 0	(134/234)

10. (reserved)

11. Total Effective Claims 15 minus 20 = * 0 x \$18/\$9 = + 0 (103/203)
12. Independent Claim 3 minus 3 = * 0 x \$80/\$40 = + 0 (102/202)

*If answer is zero or less, enter "0"

13. If any proper (ignore improper) multiple dependent claim is present, ☒ add \$270/\$135 + 270 (104/204)

14. Original Due Date: June 20, 2001 ☐ None

15. **Petition is hereby made** to extend the original due date to cover the date this CPA is filed for which the requisite fee is attached
- | | | |
|-------------------------|--------|-----------|
| (1mo)- \$110/\$55= \$ | | (115/215) |
| (2mos)- \$390/\$195= \$ | \$ 390 | (116/216) |
| (3mos)- \$890/\$445= \$ | | (117/217) |

16. Enter any previous extension fee paid since above original due date (item 14) and subtract
- \$ 0

17. **EXTENSION FEE ATTACHED** \$ 390

18. **TOTAL FILING FEE =** \$ 1370

19. If box 7 above is X'd, ----- add required fee (\$130) + 0 (122)

20. **FEE ATTACHED =** \$ 1370
(carry forward to line 27)

(FOR AMENDMENT FEES RE ITEM 2 ABOVE SEE NEXT PAGE)

21. ☐ ATTACHED:

**ADDITIONAL FEE CALCULATION FOR PRELIMINARY AMENDMENT
TO BE ENTERED (PER ITEM 2 ABOVE)**

	Claims remaining after amendment	Highest number previously paid for	Present Extra	Additional Fee	
					<u>Large/Small Entity</u> <u>Fee Code</u>
23. Total Effective Claims	_____ minus**	<u>20</u>	= * <u>0</u>	x \$18/\$9 = \$ <u>0</u>	(103/203)
24. Independent Claims	_____ minus***	<u>3</u>	= * <u>0</u>	x \$80/\$40 = + <u>0</u>	(102/202)
25. If amendment enters proper multiple dependent claim(s) into this application for the <u>first time</u> , ----- <input type="checkbox"/> add \$270/\$135 (per application)				+ <u>0</u>	(104/204)
26.				ADDITIONAL FEE	\$ <u>0</u>
27.				plus FEE from item 20 on page 3	+ <u>1370</u>
28.				<u>TOTAL FEE ATTACHED</u>	\$ <u>1370</u>

29.*If the entry in the first space is less than entry in the middle space, the "Present Extra" result is "0".

30.**If the "Highest number previously paid for" (see item 11 above) is less than 20, write "20" in this space.

31.***If the "Highest number previously paid for" (see item 12 above) is less than 3, write "3" in this space.

Our Deposit Account No. 03-3975

Our Order No.	<u>11468</u>	<u>254992</u>
	C#	M#

32. **CHARGE STATEMENT:** The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficient fee only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown above for which purpose a duplicate copy of this sheet is attached. **This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.**

**Pillsbury Winthrop LLP
Intellectual Property Group**

1600 Tysons Boulevard

McLean, VA 22102

Tel: (703) 905-2000

Atty./Sec. BET/LMR

By Atty: Blair E. TaylorSig: Reg. No. 44370

Fax: (703) 905-2500

Tel: (703) 905-2198

NOTE: No. 1: File this Request in duplicate with PTO receipt (PAT-103A) & attachments.**NOTE: No. 2:** Is extension necessary for copendency? **DOUBLE CHECK** Item 14 above.